

JOHANN KOMMA

JULY 4 (legislative day, JUNE 26), 1952.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 4634]

The Committee on the Judiciary, to which was referred the bill (H. R. 4634) for the relief of Johann Komma, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Johann Komma. The bill provides for an appropriate quota deduction and for the payment of the required visa fee and head tax.

STATEMENT OF FACTS

The beneficiary of the bill was born in Czechoslovakia on April 27, 1929, and is a citizen of Germany. He last entered the United States as a visitor on July 3, 1950. His purpose in coming to the United States was to study various phases of the insurance business. He was sponsored by E. V. Howard, president of the American Investors Life Insurance Co.

A letter dated April 7, 1952, to the chairman of the Committee on the Judiciary of the House of Representatives from the Deputy Attorney General with reference to the case reads as follows:

APRIL 7, 1952.

HON. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

MY DEAR MR. CHAIRMAN. This is in response to your request for the views of the Department of Justice relative to the bill (H. R. 4634) for the relief of Johann Komma, an alien. The bill would grant Mr. Komma the right of permanent residence in the United States.

The files of the Immigration and Naturalization Service of this Department disclose that Mr. Komma, a native of Czechoslovakia and citizen of Germany.

was born on April 27, 1929. He arrived in the United States at the port of Savannah on April 3, 1950, and was admitted as a temporary visitor until July 3, 1950. He has been granted two extensions of stay the last of which expired on July 2, 1951. Deportation proceedings were instituted against Mr. Komma and he was found to be deportable as an alien who had remained longer than permitted by law or regulation. His case is now pending before the Central Office of the Immigration and Naturalization Service.

Mr. Komma stated that his purpose in entering the United States was to study the insurance business under the sponsorship of E. V. Howard, president of the American Investors Life Insurance Co. During his stay in the United States he has been engaged in the study of different phases of this business. He alleges that he has not been on the payroll of the company but has received \$150 per month to cover his living expenses from the personal funds of Mr. Howard. Mr. Howard, while selling insurance to Army officers in Germany in 1948, became acquainted with the alien who served as his chauffeur. Mr. Howard sponsored Mr. Komma's visit to the United States to learn the insurance business with the intention that Mr. Komma would thereafter return to Europe and open a branch office of the company. This plan, because of unsettled conditions in Germany, has been postponed but not abandoned.

Mr. Komma stated that his mother is performing forced labor in Czechoslovakia. He believes his brother and sister are with her. He stated that his father was released from slave labor in Czechoslovakia early in 1951 and is now in Frankfurt, Germany. Mr. Komma who is single has no relatives in the United States. He alleged that although he had always hoped to become a citizen of the United States, at the time of his entry it was his intention to return to Germany, and that it was not until April 1951, that he decided to try to secure permanent residence in this country.

The quota for Czechoslovakia, to which the subject is chargeable, is oversubscribed and an immigration visa is not readily obtainable. The record, however, presents no factors which would justify the granting of permanent residence to the alien to the detriment of other natives of Czechoslovakia who have applied for entry into the United States and who have remained abroad and are awaiting their turns for the issuance of immigration visas through prescribed procedures.

Accordingly, the Department of Justice is unable to recommend the enactment of the measure.

Sincerely,

A. DEVITT VANECH,
Deputy Attorney General.

Congressman J. Frank Wilson, the author of the bill, appeared before a subcommittee of the Committee on the Judiciary of the House of Representatives and made the following statement in connection with the case:

STATEMENT OF J. FRANK WILSON, M. C., FIFTH DISTRICT, TEXAS

Mr. Johann Komma was born on April 27, 1929, in the section of Czechoslovakia which was taken over by Germany in 1938. He entered the United States as a temporary visitor on about April 3, 1950, under the sponsorship of Mr. V. K. Howard, president of the American Investors Life Insurance Co., Dallas, Tex., for the main purpose of studying the insurance business. He is single and early in World War II offered his services and aided the United States occupation forces in Czechoslovakia as an interpreter, clerk, driver, and by other methods and later served in similar capacity in Germany.

Information available indicates that Komma's people are or have been performing forced labor in Czechoslovakia and because of his past services to the United States occupational forces he is unable to return due to the possibility of persecution.

I have before me several communications giving information in detail and indicating that Mr. Komma has made excellent adjustment, is of good character, and would be worthy of consideration for United States citizenship.

I urge favorable consideration of his proposed legislation because the evidence submitted in Mr. Komma's case shows among other things he can speak German and English fluently, a favorable asset to the insurance company involved; it shows he is fearful of returning to his native land; he is sponsored by a very prosperous and reliable insurance executive; and he is of good moral character.

In addition, Congressman Wilson submitted the following letter containing further information in support of the bill:

JOHNSON & ABNEY,
Dallas, Tex., May 21, 1952.

Re H. R. 4634: For the relief of Johann Komma.

Hon. J. FRANK WILSON,
House of Representatives, Washington, D. C.

DEAR FRANK: I want to take this opportunity of saying a word in behalf of Johann Komma, who is the subject of the above-captioned House resolution, and to express the hope that this resolution might be favorably acted upon by your committee, this to the end that it will be favorably acted upon by the Congress.

The writer has known Mr. Komma for some 2 or 3 years and has had occasion to learn something of his attitudes and demeanor, and I can conscientiously state that in my opinion he is a fine, public-spirited young man, and possesses all of the attributes of character necessary to good citizenship. He has no communistic leanings of any kind or character, believes in our form of government, and I believe he will eventually make a citizen of which we would all be proud.

I want to take a few sentences to give you something of his background. He was born in Czechoslovakia, in the section thereof being known as the Sudetenland, which was taken over by Germany in 1938. He attended grammar school and high school there, and did a certain amount of apprenticeship in the federal clearinghouse in that country. The banking house where he served his apprenticeship for approximately 2 years was something like our Federal Reserve banks. While serving his apprenticeship, he attended the academy of economy at night.

His mother, who is about 47 years of age, his sister, who is 18, and his brother, who is 17, are all in Czechoslovakia and are performing enforced labor at the behest of the Russians. His father is now in Germany, having been there a few months, after having gone through the ordeal of doing enforced labor at the hands of the Russians in a uranium mine for 5 years. At one time, his father did not see daylight for 3½ years. His father is in wretched health, and is paying the penalty for enforced labor.

Mr. Komma was 16 at the time the war was coming to a close and in 1945 he returned to his native city where he offered his services to the Three Hundred and Nineteenth Infantry Regiment of the Eightieth Infantry Division, which was occupying that area. He aided our occupation forces in the capacity of interpreter and driver, and in many other useful ways. The Military Intelligence for our occupying forces ascertained that the natives there were planning to capture Mr. Komma and imprison him inasmuch as they looked upon him as a traitor because of the help he had rendered our occupying forces. When our occupying forces left that section, they issued unto Mr. Komma a military pass which authorized and permitted him to travel with our Armed Forces. This pass was issued on November 24, 1945, and was signed by Clarence W. Wales, chief warrant officer.

Mr. Komma went to Germany with our troops and lived in Frankfurt from December of 1945 until the time of his departure for the United States. During the time he lived in Germany I am advised he worked in various capacities as clerk, interpreter, and driver, doing some work for the United States forces, and then doing some work for the Coca-Cola Co. and the American Investors Life Insurance Co. of Dallas, Tex.

I am sure that you have read the report made by First Lt. Joseph S. Jacobs, dated May 10, 1951. Lieutenant Jacobs was with Military Intelligence, and his report gives a very full and complete picture of Mr. Komma's background, including the reasons why he cannot return to his country.

The writer also is well acquainted with Mr. Virgil K. Howard, president and principal stockholder of American Investors Life Insurance Co. of Dallas, Tex. Mr. Howard is a young man, 44 years of age, and is a splendid young insurance executive. He is well regarded in the industry and by the citizens, generally, and is financially responsible to carry out the terms and conditions of his sponsorship of Mr. Komma. Mr. Howard met Mr. Komma in Germany in September of 1947. Mr. Howard at that time was in Germany with Maj. Gen. W. H. Kasten, who was Chief of Finance of the United States Army. Mr. Howard was there to assist the general as an insurance specialist. While there, due to the inadequacy of transportation, he purchased an automobile and Mr. Komma drove for him, acted as an interpreter, and assisted him in the conduct of his business. Mr. Howard states that young Komma is an exceptionally bright young man, that

he is a man of good habits and morals and, in the event he is permitted to remain in this country, he proposes to permit him to continue the study of life insurance and also to assist him in doing school work, and, further, proposes to send him to Southern Methodist University, to the end that he might further his education in the insurance field.

Certainly Mr. Komma is a refugee in this country. He rendered worth-while service to our occupying forces. He should not now be forced to return to that country and there be forced to undergo punishment because he was a benefactor to our boys who were carrying our colors. Certainly the remainder of his family have been forced to go through enough suffering.

Because I believe this young man would make a fine citizen of this country, I enthusiastically commend you for introducing this bill in his behalf, and express the hope that this House resolution may be acted upon favorably at an early date.

With renewed assurances of my very great esteem, and with every best wish, believe me to be

Faithfully yours,

J. EDWARD JOHNSON.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 4634) should be enacted.

